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7 **UNITED STATES DISTRICT COURT**  
 8 **NORTHERN DISTRICT OF CALIFORNIA**  
 9 **SAN JOSE DIVISION**

10 FELTON A. SPEARS, JR. and SIDNEY	) Case No.: 5:08-cv-00868 (HRL)
11 SCHOLL, on behalf of themselves and all	)
others similarly situated,	) <b><u>CLASS ACTION</u></b>
12 Plaintiffs,	) <b>PROOF OF SERVICE FOR</b>
13 v.	) <b>DECLINATION TO PROCEED BEFORE A</b>
14 WASHINGTON MUTUAL, INC., a	) <b>MAGISTRATE JUDGE AND REQUEST</b>
15 Washington Corporation; FIRST AMERICAN	) <b>FOR REASSIGNMENT TO A UNITED</b>
EAPPRAISEIT, a Delaware corporation; and	) <b>STATES DISTRICT JUDGE</b>
16 LENDER'S SERVICE, INC.,	)
17 Defendants.	)

18 I declare that I am over the age of eighteen (18) years and not a party to this action. My  
 19 business address is: Dewey & LeBoeuf LLP, One Embarcadero Center, Suite 400, San Francisco,  
 20 CA 94111-3619 (hereinafter "D&L").

21 On May 9, 2008, I served the following documents described as:

- 22 • **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND**
- REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT**
- JUDGE**

24 on the interested parties listed on the attached Service List by placing a true copy thereof in a sealed  
 25 envelope with postage thereon fully prepaid, for collection and mailing at D&L in accordance with  
 26 D&L's ordinary business practices. I am readily familiar with D&L's practice for collection and  
 27 processing of mail, and know that in the ordinary course of D&L's business practice that the  
 28

1 document(s) described above will be deposited with the U.S. Postal Service on the same date as  
2 sworn below.

3 I declare under penalty of perjury under the laws of the State of California that the foregoing  
4 is true and correct.

5 Executed on May 9, 2008 at San Francisco, California.  
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